

FILED FOR RECORD

2021 AUG 12 PM 3: 29

DIANE GONZALES
ATASCOSA COUNTY CLERK
BY K. Sumner DEPUTY

NOTICE OF FORECLOSURE SALE

AUGUST 10, 2021

RE: That one certain Real Estate Lien Note dated June 17, 2017, executed by Jacob Rome Trevino, as Borrower, and payable to the order of Alvin Hartman, as Lender, secured by a vendor's lien retained in warranty deed with vendor's lien of even date therewith, from Alvin Hartman to Borrower, recorded in the Real Property Records of Atascosa County, Texas, conveying the real property therein described, and additionally secured by a Deed of Trust of even date therewith executed by Borrower in favor of Daniel L. Brown, PC, Trustee, covering the herein below described real property, and recorded in the Official Public Records of Real Property of Atascosa County, Texas. The Property is described herein below.

Borrower/Grantor: Jacob Rome Trevino

Property Address: 105 Kimber Lane
Poteet, Atascosa County, Texas 78065

Legal Description:

BEING LOTS ONE (1), TWO (2), AND THREE (3), OF THE PINE CREST SUBDIVISION, IN ATASCOSA COUNTY, TEXAS, AS PER MAP OR PLAT OF SAID SUBDIVISION RECORDED ON SHEET 61-B, NEW PLAT CABINET, PLAT RECORDS, ATASCOSA COUNTY, TEXAS, RECORDED IN BOOK 152, PAGE 213, AND ALSO KNOWN AS 105 KIMBER LANE, POTEET, ATASCOSA COUNTY, TEXAS 78065.

Person appointed as substitute trustee to exercise power of sale under Deed of Trust:

Substitute trustee: **Eric D. Sherer**
Substitute Trustee's address: **18756 Stone Oak Parkway, Suite 200
San Antonio, Texas 78258**

The substitute trustee was appointed by the Lender, or his heirs, successors or assigns, as beneficiary under the Deed of Trust referred to herein above pursuant to Texas Property Code section 51.0075 to succeed to all title, powers, and duties of the original or successor trustees that are removed herein.

Property: The Property described herein above and all improvements, and personal property described in the said Deed of Trust referred to herein above, and all rights and appurtenances thereto.

Foreclosure Sale:

Date: **Tuesday, September 7, 2021**

Time: The sale of the Property will be held between the hours of 10:00 A.M. and 4:00 P.M. local time; the earliest time at which the Foreclosure Sale will begin is **1:00 pm** and not later than three hours thereafter.

Place: At the place designated for such foreclosure sales by the Commissioner's Court of Atascosa County, Texas.

Terms of Sale: The Foreclosure Sale will be conducted as a public auction and the Property will be sold to the highest bidder for cash, except that the seller's bid may be by credit against the indebtedness owed under the said Note and Deed of Trust.

Default has occurred in the payment of the Note and under the Deed of Trust and otherwise in the performance of the obligations of the Borrower/Grantor under the Note and Deed of Trust. Because of that default, the Lender as beneficiary under the Deed of Trust has requested the Substitute Trustee to sell the Property.

The Deed of Trust may cover both real and personal property. Formal notice is hereby given of the sellers' election to proceed against and sell both the real property and any personal property described in the said Deed of Trust in accordance with sellers' rights and remedies under the said Note and Deed of Trust and section 9.604(a) of the Texas Business and Commerce Code.

Therefore, notice is given that on and at the Date, Time, and Place for the Foreclosure Sale described above, the Substitute Trustee will sell the Property in accordance with the Terms of Sale described above, the Note and Deed of Trust, and applicable Texas law.

If the sellers pass the Foreclosure Sale, notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the said Deed of Trust and the Texas Property Code.

The Foreclosure Sale will be made expressly subject to any title matters set forth in the Deed of Trust, but prospective bidders are reminded that by law the Foreclosure Sale will necessarily be made subject to all prior matters of record affecting the Property, if any, to the extent that they remain in force and effect and have not been subordinated to the said Deed of Trust. For the avoidance of doubt, the Foreclosure Sale will not cover any part of the Property that has been released of public record from the interest of the Deed of Trust by the Lender. Prospective bidders are strongly urged to examine the applicable property

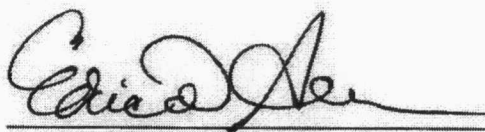
records to determine the nature and extent of such matters, if any.

Pursuant to section 51.009 of the Texas Property Code, the Property will be sold "AS IS," without any expressed or implied warranties, except as to the warranties (if any) provided for under the said Deed of Trust. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the Property.

Pursuant to section 51.0075(a) of the Texas Property Code, Substitute Trustee reserves the right to set further reasonable conditions for conducting the Foreclosure Sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by Substitute Trustee.

Assert and protect your rights as a member of the armed forces of the United States. If you are or your spouse is serving on active military duty, including active military duty as a member of the Texas National Guard or the National Guard of another state or as a member of a reserve component of the armed forces of the United States, please send written notice of the active duty military service to the sender of this notice immediately.

THIS INSTRUMENT APPOINTS THE SUBSTITUTE TRUSTEE(S) IDENTIFIED TO SELL THE PROPERTY DESCRIBED IN THE INSTRUMENT IDENTIFIED IN THIS NOTICE OF SALE. THE PERSON SIGNING THIS NOTICE IS THE ATTORNEY OR AUTHORIZED AGENT OF THE LENDER UNDER SAID NOTE AND DEED OF TRUST OR THEIR SERVICER.



Eric D. Sherer, Substitute Trustee
18756 Stone Oak Parkway, Suite 200
San Antonio, Texas 78258
(210) 696-6645
(866) 305-5823 fax
esherer@sherer.legal